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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR-17, PANCHKULA, HARYANA-134109

Notification

The 20th November, 2020

No. SEC/4E-II/2020/1391.— Whereas election to the seat of Sarpanch, Gram Panchayat Nissing (Gramin), Block Nissing, District Karnal was held on 28.05.2017 and the name of Sh. Gurdev Singh was notified as elected Sarpanch of the Gram Panchayat by the Commission *vide* its notification dated 13.06.2017.

2. Whereas as per order dated 18.09.2019 passed by Civil Judge, Karnal in an election petition-Sarjeet Singh Vs. Gurdev Singh & others election of Sh. Gurdev Singh, Sarpanch, Gram Panchayat Nissing (Gramin) declared illegal, null and void and had directed the Deputy Commissioner, Karnal to conduct the fresh election to the seat of Sarpanch, Gram Panchayat Nissing (Gramin).

3. Wheras, Deputy Commissioner-cum-District Election Officer (Panchayat) Karnal 11445/P dated 17.11.2020 while forwarding a copy of order dated 05.11.2020 passed by Hon'ble High Court in COCP 1564 of 2020-Sarjeet Singh Vs. Nishant Kumar Yadav has recommended to conduct the election to the seat of Sarpanch, Gram Panchayat Nissing (Gramin) immediately.

4. In compliance with orders dated 18.09.2019 passed by the Civil Judge, Karnal, State Election Commission in exercise of powers vested under clause (1) of Article 243K of the Constitution of India and under rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and all other powers enabling in this behalf hereby prescribe time schedule for the conduct of election to the seat of Sarpanch, Gram Panchayat Nissing (Gramin), Block Nissing, District Karnal as under:-

(Time Schedule)

Sr. No.	Programme	Date
1.	Date on which notice shall be published by the District Election Officer (Panchayat) in Form 2 or 3, as the case may be, for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994.	24.11.2020
2.	Dates on which Nomination papers shall be presented under Rule 24(2)(i).	01.12.2020 to 05.12.2020 (10.00 A.M to 3.00 P.M.)

3.	Dates on which the list of Nomination papers received shall be pasted under Rule 24(2) (ii).	01.12.2020 to 05.12.2020
4.	Date by which Affidavit/declaration shall be furnished by the candidate in Form 4-A & 4-B, to the concerned Returning Officer. (Rule 27).	01.12.2020 to 05.12.2020
5.	Date on which the nomination papers shall be scrutinized under Rule 24(2)(iii).	07.12.2020 (10.00 A.M. onwards)
6.	Last date for withdrawal of candidature by a candidate under Rule 24(2)(iv).	08.12.2020 (upto 3.00 P.M.)
7.	Date on which symbols shall be allotted to the contesting candidates.	08.12.2020 (After 3.00 PM)
8.	Date on which the list of contesting candidates shall be pasted under Rule 24(2)(v).	08.12.2020 (immediately after the allotment of symbols)
9.	Date on which the poll, if any, shall be held under Rule 24(2) (vi).	15.12.2020 (Tuesday)
10.	Timing of the poll	Between 8.00 A.M. to 4.00 P.M.
11.	Counting of votes	i) Immediately after the close of poll. ii) In case of re-poll, the Commission may change the date and time of counting of votes.

3. It is further directed as under:-

- (a) If there is any stay order passed by any competent authority or Court against the vacancy, the election to this seat shall not be held and a report to that effect be sent to the Commission, immediately.
- (b) During the period of elections, no new development work in the said Panchayat be started.
- (c) The District Election Officer (Panchayat), Karnal shall by notice in Form 3, specify the above programme i.e. (i) last date, time and place of making nominations; (ii) the date, time and place for scrutiny of the nomination papers (iii) date and time for withdrawal of candidature (iv) preparation of list of contesting candidates and allotment of symbols (v) date and time during which the poll will be held and (vi) date, time and place of counting of votes in accordance with the provisions contained in Rule 24 of the Haryana Panchayati Raj (Election) Rules, 1994 and will send a copy of the notice to the Commission by fax and email.
- (d) Nomination papers for the election shall be filed and received at Headquarter of the Gram Panchayat concerned by the Returning Officer/Assistant Returning Officer.
- (e) The work of scrutiny of nomination papers should not be delegated to the Assistant Returning Officer.
- (f) The Returning Officer shall supply nomination paper (Form-4) and affidavit/declaration forms i.e. Form 4-A & 4-B on demand to the contesting candidates, contesting the election of the seat of Sarpanch.
- (g) The Returning Officer shall also obtain an affidavit/declaration in Form 4-A and 4-B (reflecting the latest position of dues etc.) alongwith required documents during the prescribed period

mentioned at Sr. No. 4 of the time schedule, from those candidates who have filed the nomination.

- (h) The Returning Officer shall make the scrutiny of all the nomination papers on the day fixed for scrutiny.
- (i) Immediately after the withdrawal of candidature, the Returning Officer shall prepare a list of contesting candidates in the prescribed form i.e. in Forms 7 and shall mention the symbol allotted to the contesting candidates against his/her name at column No. 4. After the allotment of symbol, the signature of the contesting candidates or his election agent should be obtained in the relevant form as token to the fact that the candidates have been informed about the symbol allotted to him/her.

4. **It is further directed that the District Election Officer (P) shall ensure that all the staff members deployed on election duty and the voters who came for voting on polling day wearing face mask and social distancing has been maintained and further compliance of the advisory of the Government.**

5. NOTA (None of the above) option will be used in the election of Sarpanch, so that voters who come to the polling stations and decide not to vote for any candidate in fray, are able to exercise their right not to vote with maintaining their right of secrecy.

6. It is further directed that the counting of votes of Sarpanch shall be done immediately after the close of poll at the polling stations, but before starting counting, the Returning Officer concerned shall ensure that the voting at all the polling booths under his control has been completed. If re-poll is recommended, the Commission may change the date and time of counting.

7. It is further directed that all voters of the respective area who have been issued the Electoral Photo Identity Cards for Assembly and Lok Sabha Elections and the Electoral Photo Identity Card numbers have been mentioned in case of the Panchayat Voters list also, shall have to produce these cards to exercise their franchise when they come to the polling stations for voting. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce any one out of the following documentary evidence to establish his/her identity:--

i)	Driving License,
ii)	Income Tax Identity (PAN) Card,
iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
v)	Freedom Fighter Identity Card having photograph,
vi)	SC/ST/OBC certificate having photograph, issued by competent authority
vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
viii)	Arms License having photograph,
ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
x)	Property documents with photographs such as Pattas, Registered Deeds etc.
xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
xii)	Health Insurance Scheme Smart Cards with Photograph,
xiii)	Ration Cards or any other similar documents establishing identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xiv)	Aadhar Card issued by UIDAI
xv)	Passport

An odd elector, who does not have any of the above cards would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

8. It is also clarified that if the voter list of Gram Panchayat Nissing (Gramin) has not been updated, the validity or continued operation of existing voter list shall not thereby be affected, as provided in Rule 12 of the Haryana Panchayati Raj Election Rules, 1994.
9. It is further directed that adequate police personnel shall be deployed at the polling stations, counting centers for security and maintenance of law and order to ensure peaceful, smooth and fair election. It may be ensured that no untoward incident takes places during elections.
10. In order to curb undesirable and illegal activities, the Commission hereby imposes restriction to hire or procure not more than 2 vehicles or vessels whether on payment or otherwise for use by a contesting candidate himself or his agents or his supporters on the day of poll during elections. It is also stated that:
 - i. The expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.
 - ii. The contesting candidates should be issued permits as per proforma prescribed by the Commission appended herewith. The permits should be issued to the contesting candidates at least 2 days before the day of poll.
 - iii. The District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters to prevent any possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the minds of the voters, it should be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.
 - iv. The District Administration shall launch a drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.
 - v. All recognized National/State Political Parties in the State of Haryana and each contesting candidates, or an agent authorized by him be intimated in this respect.
 - vi. Permit in this respect shall be issued in the proforma given here as under:-

PROFORMA

PANCHAYAT ELECTIONS NOVEMBER, 2020

Permit No._____

Gram Panchayat _____

Name of Candidate _____

Vehicle Number _____

Returning Officer (P)
Seal

11. It is further directed that the votes for the election shall be given by recording of votes by voting machines [Electronic Voting Machines (EVMs)].

It is further directed that Deputy Commissioner-cum-District Election Officer (Panchayat), Karnal shall send names of the elected person to the Commission within one week from the date of declaration of election result, both in Hindi and English as per procedure prescribed by the Commission *vide* its order No. S.E.C./3E-II/2011/748 dated 16.05.2011.

DR. DALIP SINGH,
State Election Commissioner, Haryana.